

REMARKS

In this response, none of the claims have been amended, and no new claims have been added. Thus, no new matter is introduced. Reconsideration of pending claims 38, 41-54 and 56-59 is respectfully requested.

Rejections under 35 U.S.C. § 103

a. Response to Rejection

Claims 38, 41-46, 48-54 and 56-58 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Palmer (US 4,478,268) in view of Iseli et al. (US 4,519,474).

As previously noted in applicant's response filed December 21, 2009, Palmer relates to doors, and more particularly to overhead doors that are employed in industrial applications. In its introductory portion, column 1, lines 11 to 46, Palmer identifies a problem in which doors employed in industrial applications may be damaged by vehicles approaching a closed door, which may require extensive and expensive maintenance and replacement work. To overcome this prior art problem, Palmer proposes a damage-minimizing door that comprises, in combination, a pair of spaced apart guide means and a flexible curtain having a pair of side edges movably engageable with each of the guide means. The flexible curtain may be pulled laterally from the guide means when a predetermined impact force is applied to the flexible curtain. Palmer also proposes means for moving the curtain between a first door in open position and a second door in closed position, where the doors proposed by Palmer may additionally comprise a base bar to stiffen the lower end of the curtain. According to the teaching of Figs. 12 and 13 of Palmer, the base bar may be replaced by a rubber tube 55 with an interior coiled spring 56 connected by a grooved channel 57 to the lower edge of curtain 10.

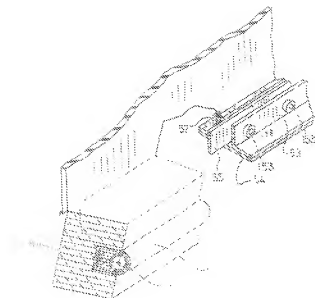
The operation of the door proposed by Palmer is described in column 5, lines 15 to 61. According to this description, if a driver ever fails to open the door or if the door fails to open before it is hit by a vehicle at an impact, the vertical edges of the curtain 10 will be pulled out of their guide channels 14 and 15, and will be retreated in front of the vehicle. In addition, the base bar 50 or tube 55 may release from the curtain, where it

is considered a simple and straight-forward operation to reinsert the curtain back into its guide channels and to make the door operational again.

Thus, Palmer proposes the door to bow under the pressure of a colliding vehicle, and the vertical edges of the door to escape from their respective guide means (e.g., as illustrated in Fig. 2). In contrast, the problem addressed by the present application is the problem of possible damage of objects during a closing motion of the door. If any, the disclosure of Fig. 12 of Palmer may present a solution of such a problem by the provision of the coiled spring 56 incorporated into a rubber tube 55. However, this construction leads to an undesired bow of the curtain under pressure and wind loads.

The proposed solution of this problem, as recited in claim 38, by the provision of a leaf spring embedded in a stabilizing element attached to the lower edge of the flexible web-like closing element and having its primary surfaces oriented perpendicular to the closing direction, is neither anticipated nor suggested by the teaching of Palmer.

This result remains unchanged when additionally taking into consideration the teaching of Iseli. Iseli relates to safety beading arranged along the shock-absorbing edges of automatic vehicles or along the closing edges of automatically closing doors, in which safety beading may serve the purpose of switching off the door drive upon contact with an obstacle or to initiate a braking action. The embodiment shown in Figs. 3 and 4 of Iseli is intended to be attached to the collision edge of any suitable and conventional driverless transport vehicle to thereby form a safety bumper for such driverless transport vehicles (cf. Iseli, column 3, lines 25 to 33). Thus, Iseli may be considered to provide a solution for avoiding damage upon collision of a vehicle with a door, which is in a manner similar to the problem also addressed by Palmer. However, when applying the teachings of Iseli (avoiding damage caused by a vehicle colliding with a door) to Palmer, the following arrangement (illustrated below, which is a combination of Fig. 7 of Palmer and Fig. 4 of Iseli) may result.



The above arrangement may allow the door leaf or curtain to bow in a manner as shown in Fig. 2 of Palmer, and to effect the switching off of the door drive upon contact with an obstacle or to initiate a braking action in line with the teaching of Iseli.

However, in the construction which may be considered to be made obvious by Palmer in view of Iseli, the leaf spring is oriented parallel to the closing direction of the closing element to thereby ensure the ability to move in a manner shown in Fig. 2 of Palmer. On the other hand, it is in no way suggested by the teaching of Palmer, in view of Iseli, to provide the lower edge of the flexible web-like closing element with a leaf spring having its primary surfaces oriented perpendicular to the closing direction, as required by claim 38, since the skilled person (at a first glance) would consider such an embodiment to not allow the bowing movement of the curtain required by the teaching of Palmer.

The claimed orientation of the leaf spring may also allow the bowing movement proposed by Palmer by torsion of the leaf spring, while simultaneously avoiding damages to objects or persons during a closing movement of the closing element. This teaching is by no way derivable from the combined teachings of Palmer and Iseli. Rather, the combination of the teaching of Palmer with the teaching of Iseli would lead to a completely different embodiment, which may not avoid damage of objects or

persons during the closing movement of the closing element, as taught in the present application.

b. Response to Advisory Action

In the Advisory Action, the Examiner contends that the proposed characterization of the combination of Palmer and Iseli is not supported by the teaching of such documents. It is respectfully submitted that the Examiner is mistaken.

According to independent claim 38, the present application relates to a roll-up door comprising at least one flexible web-like closing element which, in the closed position, is rolled up, as expressed by the term "roll-up door."

Palmer also relates to this type of door, which generally include a web-like flexible curtain. According to the teaching of Palmer, column 1, lines 8 to 46, the main problem in the operation of such a door is that vehicles may collide with the closed door to thereby cause substantial damage. In an approach to overcome this problem, Palmer proposes that the vertical edges of the curtain be arranged such that they will be pulled out of the guide channels in order to avoid damage, where a base bar or tube may release from the curtain during such a pull-out movement of the curtain, as depicted in Fig. 2 of Palmer. Thus, Palmer is related to the problem of avoiding damage by objects impinging in a horizontal direction on a closed curtain.

The problem of avoiding damage by the movement of an object in a horizontal direction is also addressed by the electric switching arrangement shown in Figs. 3 and 4 of Iseli, which is to be mounted on the collision edge of any suitable and conventional driverless transport vehicle in order to form a safety bumper for such driverless transport vehicle (cf. Iseli, column 3, lines 18 to 35). Thus, when faced with the problem of collisions in a horizontal direction, the skilled person, with a view to the teaching of Iseli, would apply the switching arrangement as proposed in Iseli in the same manner as the roll-up door disclosed by Palmer, as depicted in the arrangement previously submitted in the Response filed December 21, 2009 and reproduced above.

Accordingly, for at least these reasons, neither Palmer nor Iseli, either alone or in combination, disclose or even suggest the recited features of claim 38. For at least

these reasons, applicant respectfully submits that claim 38 is allowable over Palmer, in view of Iseli, along with associated dependent claims 41-46, 48-54 and 56-58.

Claims 50-53 and 59 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Palmer in view of Iseli, and further in view of Clark (US 3,292,685). Claims 50-53 and 59 depend from independent claim 38. Clark allegedly discloses providing bristle sealing/aligning means in a track for a roller closure. Clark, however, does not cure the deficiencies of Palmer or Iseli, as discussed with respect to claim 38. Accordingly, claims 50-53 and 59 are allowable for at least the reasons claims 38 is allowable.

Conclusion

For at least the above stated reasons, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (503) 796-2997. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge Deposit Account No. 500393.

Respectfully submitted,
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